

2.3.3.1 Permitting Framework and Scope/ Permit Program Areas/ Storm Water Sources/Land Disturbance

Polluted stormwater runoff is a leading cause of impairment to the nearly 40 percent of surveyed United States water bodies which do not meet water quality standards. Over land or by storm sewer systems, polluted runoff is discharged, often untreated, directly into local water bodies. When left uncontrolled, this water pollution can result in the destruction of fish, wildlife, and aquatic life habitats; a loss in aesthetic value; and threats to public health due to contaminated food, drinking water supplies, and recreational waterways.

In 1987 the federal Clean Water Act was amended to include the regulation of certain stormwater classes which lead to the establishment of the National Pollutant Discharge Elimination System (NPDES) permitting program. The NPDES program requires the implementation of controls designed to prevent harmful pollutants from being washed down by stormwater runoff into local water bodies.

Regulated entities must obtain coverage under an NPDES stormwater permit and implement stormwater pollution prevention plans (SWPPPs) or stormwater management programs (both using best management practices (BMPs)) that effectively reduce or prevent the discharge of pollutants into receiving waters.

The primary pollutants of concern from construction activities are silt and sediment, but other pollutants such as oils and grease, vehicle fluids, and debris are present as well. The removal of vegetation exposes bare soil which is much more vulnerable to erosion, resulting in sediment moving into receiving waters. Construction activities increase pollutant loads and runoff. Sedimentation can destroy aquatic habitat and high volumes of runoff can cause stream bank erosion. The volume and rate of runoff are typically increased, providing a larger capacity to transport pollutants to rivers and lakes.

State law requires land disturbance activities of one acre or greater, and those less than one acre if part of a common plan of development or sale to be covered under a permit prior to the onset of construction activities.

The primary requirement of the land disturbance permit is development and implementation of a Stormwater Pollution Prevention Plan (SWPPP). The purpose of the SWPPP is to ensure the design, implementation, management and maintenance of BMPs in order to reduce the amount of sediment and other pollutants in stormwater discharges.

The plan should be kept on-site and does not need to be sent to the Missouri Department of Natural Resources unless specifically requested. The plan must be amended when changes in facility design, construction, operation or maintenance occur. The plan kept onsite must be specific to the project site.

The permittee shall select, install, use, operate, and maintain appropriate BMPs for the permitted site. The following manuals are acceptable resources for the selection of appropriate BMPs. The permittee is not limited to the use of these guidance manuals; however, all BMPs should be described and justified in the SWPPP.

Stormwater Management for Construction Activities: Developing Pollution Prevention Plans and Best Management Practices, (Document number EPA 833-R-06-004) published by the United States Environmental Protection Agency (USEPA) in May 2007. This manual as well as other information, including examples of construction SWPPPs, is available at the USEPA internet site <http://cfpub1.epa.gov/npdes/stormwater/swppp.cfm>; and

The latest version of *Protecting Water Quality: A field guide to erosion, sediment and stormwater best management practices for development sites in Missouri*, published by the Missouri Department of Natural Resources. This manual is available on the Department's internet site at: <http://www.dnr.mo.gov/env/wpp/wpcp-guide.htm>.

There are two General Permits for Land Disturbance activity. The “MOR100” permit is for government type applicants and is available only through the manual process by submitting completed application Forms E & G along with the appropriate fee, to the Department of Natural Resources. The “MORA” permit is the standard land disturbance permit and is available only through an online process. The Missouri Department of Natural Resources has developed a new online tool that allows users to submit an operating permit application and receive a General Missouri State Operating Permit for Land Disturbance. This new system is called ePermitting.

Individuals are able to go online and fill out the application, locate their project using a state of the art GIS program, submit payment and receive their General Missouri State Operating Permit for Land Disturbance all on the same day. Later phases of ePermitting will incorporate the ability to process permit modifications, permit renewals and permit terminations for all General Missouri State Operating Permits. As of September 1, 2012 the Department no longer accepts paper applications for the standard land disturbance permit. The applications for this land disturbance, is completed electronically through ePermitting unless certain conditions apply.

To apply for the Land Disturbance Permit through ePermitting the applicant will need the following:

- A working computer with internet connection. High-speed internet is needed in order to use the GIS portion of the program.
- A debit or credit card or checking account.
- A Stormwater Pollution Prevention Plan must be developed prior to permit issuance from ePermitting.
- Map of the project area that includes the entire contiguous area where land disturbance is to occur.
- Knowledge if the land disturbance activity will occur in a location that also has a local governmental erosion control requirements.

- Knowledge of the land disturbance activity will occur in a location that falls under the U.S. Army Corps of Engineer's jurisdictional waters.

A potential permittee may begin the electronic permit process by going to the Department of Natural Resources webpage at <http://dnr.mo.gov/>, selecting the "Online Services" tab located at the top of the page, scroll down to "Water Protection" and click on ePermitting. This link will take you to the online tutorial videos, the user manual and the link to begin an application.

The Department could require the permittee to apply for and obtain a site-specific or different general permit if: a) The permittee is not in compliance with the conditions of this general permit; b) The discharge no longer qualifies for this general permit due to changed site conditions and/or regulations; or c) Information becomes available that indicates water quality standards have been or may be violated. The permittee will be notified in writing of the requirement to apply for a site-specific permit or a different general permit. When a site-specific permit or different general permit is issued to the authorized permittee, the applicability of this general permit to the permittee is automatically terminated upon the effective date of the site specific or different general permit.

Legal References:

Missouri Clean Water Law, Chapter 644, RSMo

644.026.1(8), (13), (16) and (21)	Powers and duties of commission— rules, procedure
644.051.2 and 3	Prohibited acts--permits required, when, fee--bond required of permit holders, when--permit application procedures--rulemaking--limitation on use of permit fee moneys.

Code of State Regulations

10CSR 20-6.200(1) and (6)	Storm Water Regulations - Storm Water Permits
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Code of Federal Regulations:

40 CFR 122.26	EPA Administered Permit Programs: The National Pollutant Discharge Elimination System - Storm water discharges (In particular: 122.26(a)(1)(ii), 122.26(a)(2), 122.26(a)(4), 122.26(b)(14) (Definition), 122.26(c)ii
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Other Links:

[DNR web page – Land Disturbance Permits](#)

[Storm Water Information Clearinghouse](#)

[Center for Watershed Protection "Stormwater Center"](#)

[Stormwater magazine](#)

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